

plus the time necessary to build the chamber atmosphere to 90 percent of the target exposure atmosphere. A day in which this minimum exposure time has not been achieved does not count as an exposure day.

(ii) Nominally, animal exposures should be conducted for six hours per day for five days per week. In no case should the exposures occur less than four days per week for a total of 65±2 exposure days.

(iii) No more than two non-exposure days may occur consecutively during the exposure period, including days on which the minimum exposure time has not been met.

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6. Section 79.63 is amended by adding a new paragraph (e)(4)(iii) to read as follows:

§ 79.63 Fertility assessment/teratology.

* * * * *

(e) * * *

(4) * * *

(iii) Pregnant females shall be exposed to the test atmosphere on each and every day between (and including) the first and fifteenth day of gestation.

* * * * *

7. Section 79.68 is amended by revising paragraphs (f)(1) and (f)(5)(vi) to read as follows:

§ 79.68 Salmonella typhimurium reverse mutation assay.

* * * * *

(f) *Data and report*—(1) *Treatment of results.* Data shall be presented as number of revertant colonies per plate, revertants per kilogram (or liter) of fuel, and as revertants per kilometer (or mile, or brake-horsepower/hour, as appropriate) for each replicate and dose. These same measures shall be recorded on both the negative and positive control plates. The mean number of revertant colonies per plate, revertants per kilogram (or liter) of fuel, and revertants per kilometer (or mile, or brake-horsepower/hour), as well as individual plate counts and standard deviations shall be presented for the test substance, positive control, and negative control plates.

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(5) * * *

(vi) Individual plate counts, mean number of revertant colonies per plate, number of revertants per kilometer (or mile, or brake-horsepower/hour), and standard deviation; and

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 62

RIN 3067-AC47

National Flood Insurance Program; Allocated Loss Adjustment Expense

AGENCY: Federal Insurance Administration (FEMA).

ACTION: Technical amendment.

SUMMARY: This document amends the interim final rule published on Wednesday, May 15, 1996, 61 FR 24462-24464, FR Doc. 96-12019, which revised the allocated loss adjustment expense fee schedule of the National Flood Insurance Program (NFIP) Write Your Own (WYO) Program under the Financial Assistance/Subsidy Arrangement (the Arrangement). This technical amendment revises the fee schedule of the interim final rule, restoring the previous basis for determining the amount of the flood loss and the resulting fees.

EFFECTIVE DATE: July 11, 1996.

FOR FURTHER INFORMATION CONTACT: Charles M. Plaxico, Jr., Federal Emergency Management Agency, Federal Insurance Administration, 500 C Street SW., Washington, DC 20472, (202) 646-3422.

SUPPLEMENTARY INFORMATION:

Background

On May 15, 1996, the Federal Insurance Administration (FIA) published an interim final rule (FR Doc. 96-12019) that modified the allocated loss adjustment fee schedule of the National Flood Insurance Program (NFIP) Write Your Own Program under the Financial Assistance/Subsidy Arrangement (the Arrangement). That interim final rule added new loss ranges and revised the fees for adjusting claims in the higher ranges under the NFIP. The revised fee schedule also contained footnotes establishing a new basis (replacement cost, not to exceed policy limits, in all cases) for determining the amount of loss.

Before the May 15, 1996 changes, the amount of loss reported and used for determining the allocated loss adjustment fee was either on an actual cash value or a replacement cost basis, depending on how the loss was adjusted. Standard deductibles were applied in all cases. The May 15, 1996 changes required WYO companies to report losses, regardless of how they were adjusted, on a replacement cost basis. This requirement, however, is inconsistent with current systems reporting and recording capabilities.

Need To Correct Publication

A number of WYO companies reported that they could not meet the reporting requirement of the May 15, 1996 interim final rule in a timely manner. In order to meet the reporting requirement, WYO companies need additional time to reprogram their data processing systems. FEMA agrees, and by this amendment reverts to the methods for calculating the amount of loss in effect before the May 15, 1996 interim final rule. The new loss ranges and revised fees for the higher ranges remain the same as in the May 15, 1996 rule.

The basis for determining fees contained in the May 15, 1996 interim final rule will be honored from May 15, 1996 until today, the effective date of this revised interim final rule. FIA will provide separate guidance to WYO companies on how to handle financial reporting from May 15, 1996 until today.

Correction of Publication

Accordingly, Exhibit A, Fee Schedule, of the publication of May 15, 1996, at 61 FR 24463-24464, (FR Doc. 96-12019) is corrected to read as follows:

EXHIBIT A.—FEE SCHEDULE

Range (by covered loss)	Fee
Erroneous Assignment.	\$40.00
Closed Without Payment.	125.00
Minimum for Upton-Jones Claims.	800.00
\$0.01 to \$600.00	150.00
\$600.01 to \$1,000.00	175.00
\$1,000.01 to \$2,000.00.	225.00
\$2,000.01 to \$3,500.00.	275.00
\$3,500.01 to \$5,000.00.	350.00
\$5,000.01 to \$7,000.00.	425.00
\$7,000.01 to \$10,000.00.	500.00
\$10,000.01 to \$15,000.00.	550.00
\$15,000.01 to \$25,000.00.	600.00
\$25,000.01 to \$35,000.00.	675.00
\$35,000.01 to \$50,000.00.	750.00
\$50,000.01 to \$100,000.00.	3.0%
\$100,000.01 to \$250,000.00.	2.3% but not less than \$3,000.
\$250,000.01 and up	2.1% but not less than \$5,750.

Note: Allocated fee schedule entry value is the covered loss under the policy based on the standard deductibles (\$500 and \$500) and limited to the amount of insurance purchased.

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")

Dated: June 2, 1996.

Harvey G. Ryland,

Deputy Director.

[FR Doc. 96-17668 Filed 7-10-96; 8:45 am]

BILLING CODE 6718-03-P

44 CFR Part 64

[Docket No. FEMA-7644]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: This rule identifies communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are suspended on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the Federal Register.

EFFECTIVE DATES: The effective date of each community's suspension is the third date ("Susp.") listed in the third column of the following tables.

ADDRESSES: If you wish to determine whether a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office or the NFIP servicing contractor.

FOR FURTHER INFORMATION CONTACT: Robert F. Shea Jr., Division Director, Program Implementation Division, Mitigation Directorate, 500 C Street, SW., Room 417, Washington, DC 20472, (202) 646-3619.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage as authorized under the National Flood Insurance Program, 42 U.S.C. 4001 et seq., unless an

appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR part 59 et seq. Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. However, some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the Federal Register.

In addition, the Federal Emergency Management Agency has identified the special flood hazard areas in these communities by publishing a Flood Insurance Rate Map (FIRM). The date of the FIRM if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may legally be provided for construction or acquisition of buildings in the identified special flood hazard area of communities not participating in the NFIP and identified for more than a year, on the Federal Emergency Management Agency's initial flood insurance map of the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column.

The Acting Associate Director finds that notice and public comment under 5 U.S.C. 553(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives a 6-month, 90-day, and 30-day notification addressed to the Chief Executive Officer that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications have been made, this final rule may take effect within less than 30 days.

National Environmental Policy Act

This rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Considerations. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

The Acting Associate Director has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless they take remedial action.

Regulatory Classification

This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Paperwork Reduction Act

This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 et seq.

Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, October 26, 1987, 3 CFR, 1987 Comp., p. 252.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp., p. 309.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

PART 64—[AMENDED]

1. The authority citation for part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 64.6 [Amended]

2. The tables published under the authority of § 64.6 are amended as follows: